

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

STEVEN J. HAYS

PLAINTIFF

v.

Civil No. 06-5136

THE COUNTY OF HUMBOLDT,
CALIFORNIA, Superior Court,
Eureka Division; et al.

DEFENDANTS

O R D E R

Now on this 7th day of September, 2006, comes on for consideration the **Magistrate Judge's Report and Recommendation** (Doc. 4) herein and the **Plaintiffs' Objections to the Magistrate Judge's Report and Recommendation** (Doc. 5).

The Court has reviewed this case *de novo* and, being well and sufficiently advised, finds that the plaintiff's objections offer neither law nor fact requiring departure from the Report and Recommendation and the same should be, and it hereby is, adopted *in toto*.

IT IS THEREFORE ORDERED that the **Report And Recommendation of the Magistrate Judge** is **adopted in toto** and the plaintiff's complaint is **DISMISSED** on the grounds that the claims are frivolous and fail to state claims upon which relief can be granted. See 28 U.S.C. § 1915(e) (2) (B).

IT IS SO ORDERED.

/s/Jimm Larry Hendren
HON. JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE